IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

JAMES H. GORBEY, JR., Administrator of the Esate of Marissa Rose Fishman, Deceased,

.

Plaintiff,

v. : Civil Action No. 05-211-MPT

RICHARD LONGWILL, et al.,

:

Defendants.

AMENDED SCHEDULING ORDER

At Wilmington, Delaware, this 28th day of August, 2007.

As a result of the teleconference of August 28, 2007 during which certain issues as reflected in the transcript were discussed.

IT IS ORDERED that the Amended Scheduling Order of June 4, 2007 is modified as follows:

- 5. <u>Summary Judgment Motions:</u> The answering letter brief shall be filed with the court within ten (10) business days of the appointment of a new administrator of the Estate of Marissa Rose Fishman. The reply letter brief shall be filed within seven (7) business days thereafter.
- 6. <u>Case Dispositive Motions</u>: After the filing of the answering and reply letter briefs, if further briefing is allowed on the case dispositive motion, the court will set a date for the filing and service of the opening brief and affidavits. Briefing will be presented pursuant to the court's Local Rules.

IT IS FURTHER ORDERED that the status conference date is changed from September 19, 2007 to **Thursday, October 4, 2007 at 4:30 p.m.** Plaintiff's counsel, Jonathan Cohen, Esq., shall initiate the teleconference.

All other provisions of the Amended Scheduling Order of June 4, 2007 not modified by this Order remain in effect.

Local counsel are reminded of their obligations to inform out-of-state counsel of this Order. To avoid the imposition of sanctions, counsel shall advise the Court immediately of any problems regarding compliance with this Order.

/s/ Mary Pat Thynge
UNITED STATES MAGISTRATE JUDGE